

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00504-JEB**

BUTT v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Judge James E. Boasberg
Case: 1:19-cv-00155-JEB
Cause: 05:552 Freedom of Information Act

Date Filed: 02/25/2019
Jury Demand: None
Nature of Suit: 555 Prisoner Petition:
Prison Condition (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**BABAR JAVED BUTT**

represented by **BABAR JAVED BUTT**
A# 208-299-802
111 S Alabama
Okmulgee, OK 74447
PRO SE

V.

Defendant**U.S. DEPARTMENT OF JUSTICE**

represented by **Matthew Evan Kahn**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6718
Email: matthew.kahn@usdoj.gov
TERMINATED: 10/21/2019
LEAD ATTORNEY

William Mark Nebeker
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**EXECUTIVE OFFICE FOR THE
UNITED STATES ATTORNEYS AT
WASHINGTON, D.C.
("EOUSA")**

represented by **Matthew Evan Kahn**
(See above for address)
TERMINATED: 10/21/2019
LEAD ATTORNEY

William Mark Nebeker
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**OFFICE OF INFORMATION
POLICY
("OIP")**

represented by **Matthew Evan Kahn**
(See above for address)
TERMINATED: 10/21/2019
LEAD ATTORNEY

William Mark Nebeker
(See above for address)

**LEAD ATTORNEY
ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/25/2019		Initiating Pleading & IFP Application Received on 2/25/2019. A copy of the docket sheet has been mailed to the address of record for the pro se party. (zmd) (Entered: 02/28/2019)
02/25/2019	<u>1</u>	COMPLAINT against EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE filed by BABAR JAVED BUTT. (Attachments: # <u>1</u> Exhibit 1 Through 6) (zmd) (Entered: 02/28/2019)
02/25/2019	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by BABAR JAVED BUTT. (zmd) (Entered: 02/28/2019)
02/25/2019	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by BABAR JAVED BUTT. (zmd) (Entered: 02/28/2019)
02/25/2019	<u>4</u>	MOTION to Seal Exhibits by BABAR JAVED BUTT. (zmd) (Entered: 02/28/2019)
02/25/2019	<u>5</u>	MOTION to Issue Summons by BABAR JAVED BUTT. (zmd) (Entered: 02/28/2019)
03/13/2019	<u>6</u>	ORDER directing an initial partial filing fee in the amount of \$47.59 from Prison Account of BABAR JAVED BUTT and granting MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Pro Se party has been notified by first class mail. Signed by Judge Trevor N. McFadden on 3/12/2019. (zmd) (Entered: 03/15/2019)
03/13/2019	<u>7</u>	ORDER granting <u>4</u> Motion to seal complaint exhibits; denying <u>5</u> Motion to Issue Summons. Signed by Judge Trevor N. McFadden on 3/12/2019. (zmd) (Entered: 03/15/2019)
03/15/2019	<u>8</u>	NOTICE OF RELATED CASE by BABAR JAVED BUTT. Case related to Case No. 19-cv-155. (zmd) (Entered: 03/15/2019)
03/15/2019		Case Reassigned to Judge James E. Boasberg. Unassigned is no longer assigned to the case. (zmd) (Entered: 03/15/2019)
03/18/2019		MINUTE ORDER: The Court ORDERS that the Clerk's Office shall direct the U.S. Marshals Service to effect service on Defendants. So ORDERED by Judge James E. Boasberg on 3/18/2019. (lcjeb1) (Entered: 03/18/2019)
03/29/2019	<u>10</u>	NOTICE of Change of Address by BABAR JAVED BUTT. (tth) (Entered: 04/03/2019)
04/03/2019	<u>9</u>	SUMMONS (<u>5</u>) Issued as to EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (zsb) (Entered: 04/03/2019)
04/08/2019	<u>11</u>	Mail Returned as Undeliverable; Sent to BABAR JAVED BUTT; Type of Document Returned: <u>6</u> Order. (zsb) (Entered: 04/10/2019)
04/08/2019	<u>12</u>	Mail Returned as Undeliverable; Sent to WARDEN PRAIRIELAND DETENTION CENTER ; Type of Document Returned: Order filed 03/13/2019. (zsb) (Entered: 04/11/2019)
04/11/2019		Partial Filing Fee Received from BABAR JAVED BUTT in the amount of \$47.59, receipt number: 4616097566. (zrdj) (Entered: 05/06/2019)
04/11/2019		ENTERED IN ERROR.....Partial Filing Fee Received from BABAR JAVED BUTT in the amount of \$47.59, receipt number: 4616097565. (zrdj) Modified on 5/7/2019 (zrdj). (Entered: 05/06/2019)
05/07/2019		NOTICE OF CORRECTED DOCKET ENTRY: re Partial Filing Fee Received was entered in error and refiled in correct case. (zrdj) (Entered: 05/07/2019)

06/10/2019	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/29/2019. (Answer due for ALL FEDERAL DEFENDANTS by 6/28/2019.) RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/29/2019. RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C. served on 5/29/2019; OFFICE OF INFORMATION POLICY served on 5/29/2019; U.S. DEPARTMENT OF JUSTICE served on 5/29/2019. (tth) (Entered: 06/13/2019)
06/27/2019	<u>14</u>	NOTICE of Appearance by Matthew Evan Kahn on behalf of All Defendants (Kahn, Matthew) (Entered: 06/27/2019)
06/27/2019	<u>15</u>	ANSWER to <u>1</u> Complaint by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE.(Kahn, Matthew) (Entered: 06/27/2019)
07/01/2019		MINUTE ORDER: The Court ORDERS that each party shall submit a proposed briefing schedule by July 22, 2019. So ORDERED by Judge James E. Boasberg on 7/1/2019. (lcjeb1) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Proposed Briefing Schedule due by 7/22/2019. (znbn) (Entered: 07/01/2019)
07/15/2019	<u>16</u>	MOTION for Summary Judgment by BABAR JAVED BUTT. (tth) (Entered: 07/18/2019)
07/22/2019	<u>17</u>	STATUS REPORT by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE. (Kahn, Matthew) (Entered: 07/22/2019)
07/23/2019		MINUTE ORDER ADOPTING Defendants' <u>17</u> Status Report. The Court ORDERS that Defendants shall submit a further status report by August 21, 2019. So ORDERED by Judge James E. Boasberg on 7/23/2019. (lcjeb2) (Entered: 07/23/2019)
07/23/2019		Set/Reset Deadlines: Status Report due by 8/21/2019. (znbn) (Entered: 07/23/2019)
08/16/2019	<u>18</u>	STATUS REPORT by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE. (Kahn, Matthew) (Entered: 08/16/2019)
08/19/2019		MINUTE ORDER: The Court ADOPTS the Defendants' <u>18</u> Status Report and ORDERS that Defendants shall submit a further Status Report by September 21, 2019. So ORDERED by Judge James E. Boasberg on 08/19/2019. (lcjeb1) (Entered: 08/19/2019)
08/19/2019		Set/Reset Deadlines: Status Report due by 9/21/2019 (lsj) (Entered: 08/19/2019)
09/19/2019	<u>19</u>	MOTION for Extension of Time to <i>File Status Report</i> by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE (Kahn, Matthew) (Entered: 09/19/2019)
09/19/2019		MINUTE ORDER GRANTING Defendants' <u>19</u> Motion for Extension of Time. The Court ORDERS that Defendants shall file their Status Report by September 27, 2019. So ORDERED by Judge James E. Boasberg on 09/19/2019. (lcjeb1) (Entered: 09/19/2019)
09/19/2019		Set/Reset Deadlines: Status Report due by 9/27/2019. (znbn) (Entered: 09/19/2019)
09/27/2019	<u>20</u>	STATUS REPORT by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE. (Kahn, Matthew) (Entered: 09/27/2019)
09/27/2019		MINUTE ORDER: Pursuant to Defendants' <u>20</u> Status Report, the Court ORDERS that Plaintiff shall by October 23, 2019, file a Notice indicating whether he will or will not challenge Defendants' withholdings, following which Defendants shall within 7 days file a status report. So ORDERED by Judge James E. Boasberg on 09/27/2019.

		(lcjeb1) (Entered: 09/27/2019)
09/27/2019		Set/Reset Deadlines: Plaintiff shall file notice by 10/23/2019. (nbn) (Entered: 09/30/2019)
10/01/2019		MINUTE ORDER: Given the Government's processing and production, <u>see</u> ECF No. 20 (Status Report), the Court ORDERS that Plaintiff's <u>16</u> Motion for Summary Judgment is DENIED WITHOUT PREJUDICE as moot. So ORDERED by Judge James E. Boasberg on 10/1/2019. (lcjeb1) (Entered: 10/01/2019)
10/21/2019	<u>21</u>	NOTICE OF SUBSTITUTION OF COUNSEL by William Mark Nebeker on behalf of EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE Substituting for attorney Matthew E. Kahn (Nebeker, William) (Entered: 10/21/2019)
10/22/2019	<u>22</u>	RESPONSE TO ORDER OF THE COURT re Order, filed by BABAR JAVED BUTT. "Leave to file GRANTED" by Judge James E. Boasberg on 10/22/19. (ztth) (Entered: 10/25/2019)
10/28/2019	<u>23</u>	MOTION to Accept Late Filed Status Report by BABAR JAVED BUTT. (Attachment: # <u>1</u> Exhibits) (ztth) (Entered: 10/30/2019)
10/30/2019		MINUTE ORDER: The Court ORDERS that Plaintiff's <u>23</u> Motion to Accept Late Filed Status Report is GRANTED. Given Plaintiff's position, the Court ORDERS that the Government shall by November 6, 2019, file a status report regarding briefing on the withholdings. So ORDERED by Judge James E. Boasberg on 10/30/2019. (lcjeb1) (Entered: 10/30/2019)
10/30/2019	<u>24</u>	STATUS REPORT by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE. (Nebeker, William) (Entered: 10/30/2019)
10/30/2019		Set/Reset Deadlines: Government Status Report due by 11/6/2019. (znbn) (Entered: 11/01/2019)
10/31/2019		MINUTE ORDER: The Court ADOPTS the Defendants' <u>24</u> Status Report and ORDERS that they shall file a further status report by November 21, 2019. So ORDERED by Judge James E. Boasberg on 10/31/2019. (lcjeb1) (Entered: 10/31/2019)
10/31/2019		Set/Reset Deadlines: Status Report due by 11/21/2019. (znbn) (Entered: 11/01/2019)
11/21/2019	<u>25</u>	STATUS REPORT by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE. (Nebeker, William) (Entered: 11/21/2019)
11/22/2019		MINUTE ORDER: The Court ADOPTS Defendants' <u>25</u> Status Report and ORDERS that: 1) Plaintiff shall identify the remaining documents that were withheld in part or in full to be addressed in this litigation by December 23, 2019; 2) Defendants shall provide a Vaughn index of those documents to Plaintiff by January 27, 2020; 3) Plaintiff shall identify any records based upon the Vaughn Index that can be removed from briefing by February 12, 2020; 4) Defendants shall file any dispositive motions by March 9, 2020; 5) Plaintiff shall file any opposition by April 9, 2020; and 6) Defendants shall file any Reply by May 7, 2020. So ORDERED by Judge James E. Boasberg on 11/22/2019.(lcjeb1) (Entered: 11/22/2019)
11/22/2019	<u>26</u>	ERRATA by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C., OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE <u>25</u> Status Report filed by OFFICE OF INFORMATION POLICY, U.S. DEPARTMENT OF JUSTICE, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS AT WASHINGTON, D.C.. (Attachments: # <u>1</u> Exhibit Attachment to status report)(Nebeker, William) (Entered: 11/22/2019)